

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

EVERGREEN GOODWILL OF
NORTHWEST WASHINGTON,

Plaintiff,

v.

AFFILIATED FM INSURANCE
COMPANY,

Defendant.

No.: 2:22-cv-00755-BJR

STIPULATED MOTION TO STAY

Plaintiff Evergreen Goodwill of Northwest Washington (“Goodwill”) and Defendant Affiliated FM Insurance Company (“AFM”) submit this Stipulated Motion to Stay this case pending the Washington Supreme Court’s decision in *Hill & Stout PLLC v. Mutual of Enumclaw Insurance Co.*, No. 100211-4 (review granted Jan. 5, 2022) (“*Hill & Stout*”).

The Washington Supreme Court granted discretionary review of *Hill & Stout*, a matter that also involves business interruption coverage for losses related to COVID-19 government closure orders. *Hill & Stout* is scheduled for oral argument on June 28, 2022. The court’s decision in *Hill & Stout* may impact central legal questions in this case.

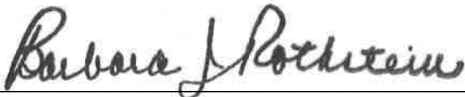
The parties jointly request to stay this matter, including discovery and all deadlines, until final resolution of *Hill & Stout*. The parties expressly agree that the stipulation and

1 proposed stay do not waive any rights or defenses, including but not limited to defenses
2 listed in Federal Rule of Civil Procedure 12(b) or 12(c). The parties further agree to file a
3 Status Report within sixty (60) days of that decision to provide the Court with an update on
4 the case status.

5 Dated: June 9, 2022.

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8 **IT IS SO ORDERED.**

9 DATED this 10th day of June, 2022.

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11 BARBARA J. ROTHSTEIN
12 UNITED STATES DISTRICT JUDGE
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1 Presented by:

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16 *Attorneys for Plaintiff*

17 4865-4148-9695.1

CERTIFICATE OF SERVICE

I hereby certify that on June 10, 2022, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF e-filing system which will send notification of such filing to the persons listed below:

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via hand delivery.
via first class mail.
via email
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Attorneys for Plaintiffs

Dated: June 10, 2022.

/s/ Genevieve Schmidt

Genevieve Schmidt, Legal Assistant